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LEGISLATIVE HISTORY
Public Law 90-387
H. R. 17002

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INDEX AND SUMMARY OF H. R. 17002

May 2, 1968	Rep. Abbitt introduced H. R. 17002 which was referred to House Agriculture Committee. Print of bill as introduced.
May 15, 1968	House subcommittee approved H. R. 17002 for full committee action .
May 21, 1968	House committee voted to report H. R. 17002.
May 22, 1968	House committee reported H. R. 17002 with amendment. H. Rept. 1423. Print of bill and report.
June 3, 1968	House passed H. R. 17002 as reported.
June 4, 1968	H. R. 17002 was referred to Senate Agriculture and Forestry Committee.
June 19, 1968	Senate committee voted to report H. R. 17002.
June 21, 1968	Senate committee reported H. R. 17002 without amendment. S. Rept. 1270. Print of bill and report.
June 24, 1968	Senate passed H. R. 17002 without amendment.
July 5, 1968	Approved: Public Law 90-387.

DIGEST OF PUBLIC LAW 90-387

TRANSFER OF TOBACCO ACREAGE ALLOTMENTS. Amends the Agricultural Adjustment Act of 1938 to remove the statutory requirement for the consent of the lienholder to a one-year lease of a fire-cured, dark air-cured, or Virginia sun-cured tobacco allotment. The lienholder's consent will still be required for leases for periods of more than one year and for the sale and transfer of allotments.

H. R. 17002

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1968

Mr. ABBITT introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 318 of the Agricultural Ad-
4 justment Act of 1938, as amended (7 U.S.C. 1318 (b)),
5 be amended by changing the second condition to read as
6 follows: “(2) no transfer other than by lease of an allot-
7 ment or quota from a farm subject to a mortgage or other
8 lien shall be permitted unless the transfer is agreed to by
9 the lienholders:”.

90TH CONGRESS
2d Session

H. R. 17002

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938.

By Mr. ABBITT

MAY 2, 1968

Referred to the Committee on Agriculture

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WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

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FOR INFORMATION ONLY;
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HIGHLIGHTS: Senate committee voted to report bills on food stamp, Cradle of Forestry, emergency credit, Kerr Memorial, and watershed construction. Senate committee reported housing bill. House subcommittee approved bill to lease tobacco allotments without clearance.

HOUSE

1. RECLAMATION. Completed general debate on H. R. 3300, the Colorado River Basin project bill. pp. H3771-846
2. APPROPRIATIONS. The Appropriations Committee was granted until midnight May 16 to report the Interior Dept. and related agencies appropriation bill. p. H3771

3. INTEREST RATES. Reps. Sullivan and Brock were appointed as House members of the Commission To Study Mortgage Interest Rates and the Availability of Mortgage Credit at a Reasonable Cost to the Consumer. p. H3774
4. CCC. Both Houses received from the President the Annual Report of the Commodity Credit Corporation. The President stated that the report "shows that the Corporation has continued to reduce agricultural surpluses" and "demonstrates that the broad authority of the Commodity Credit Corporation is being used to benefit both the U. S. farmer and those in great need abroad." To H. Banking and Currency and S. Agriculture and Forestry Committees. pp. H3775, S5618
5. PUBLIC LAW 480. Agreed to perfect the title of S. 2986, to extend and amend this law (p. H3772). During debate (see Digest 82) the Findley amendment was agreed to, 370-21, and the Steiger amendment was withdrawn.
6. LANDS; TOBACCO. A subcommittee of the Agriculture Committee approved for full committee action H. R. 16065, to release conditions in deeds conveying certain lands to Iowa, and H. R. 17002, to permit transfer of tobacco allotments by lease without clearance from lienholder. p. D438
The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 1059, to authorize a longer term of grazing leases on Alaska lands to attract long-term financing up to 55 years in place of 20 years. p. D438
7. DEFENSE PRODUCTION. The Banking and Currency Committee voted to report (but did not actually report) H. R. 17268, amended, to continue the Defense Production Act. p. D438
8. CREDIT. The "Daily Digest" states that the conferees on S. 5, the truth in lending bill, agreed to file a report. p. D439
9. ELECTRIFICATION. Rep. Whitten congratulated the REA on its 33rd anniversary and praised the role that the rural electric cooperatives have taken in "an effort to lift the standard of living for millions of rural people." p. H3847
10. TAXATION; EXPENDITURES. Rep. Denney stated "if revenue bonds for industrial development purposes are to be preserved as an effective economic development tool providing substantial employment, a dollar limit should not be set below \$10 million." He stated that conferees on the tax bill have "decided that the income on these bonds should be taxable in the case of any issue over \$1 million." pp. H3847-8
Rep. Wyman urged the Appropriations Committee of both Houses to "immediately convene and recommend to the conferees on the tax bill \$6 billion in specific cuts." pp. H3849-50
Rep. Albert announced that "the tax bill conference report will not be called up before the Memorial Day holiday." p. H3846

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HIGHLIGHTS: House passed Interior appropriation bill (includes Forest Service).
House Committee voted to report foot and mouth disease bill and bill to lease tobacco
allotments without clearance.

HOUSE

with amendment

1. APPROPRIATIONS. Passed, 364-14, H. R. 17354, the Interior and related agencies appropriation bill (pp. H4024-47). See Digest 84 for Forest Service provisions. Agreed to an amendment by Rep. Broyhill, Va., that no part of the funds appropriated herein will be used to pay the salaries of people inciting or participating in riots (p. H4044). Rejected an amendment by Rep. Willis to appropriate \$100 million for the land and water conservation fund (p. H4043).

Rejected, 174-207, a motion by Rep. Rumsfeld to recommit the bill in order to limit total expenditures to \$1,383,432,068 (pp. H4046-7).

2. CREDIT UNIONS. The Rules Committee reported a resolution for the consideration of H. R. 14907, to amend the Federal Credit Union Act. p. H4110

3. FOOT-AND-MOUTH DISEASE;LANDS; TOBACCO. The Agriculture Committee voted to report (but did not actually report) ~~H. R. 16451, to cooperate with Central America in the eradication of foot and mouth disease; H. R. 16065, to release conditions in deeds conveying certain lands to Iowa; and H. R. 17002, to permit transfer of tobacco allotments by lease without clearance from lienholder.~~ pp. D461-2

4. FOREIGN TRADE. The Ways and Means Committee voted to report (but did not actually report) H. R. 15798, to extend suspension of duty on certain classifications of yarn of silk. p. D462

Received from Commerce the annual report of the Foreign-Trade Zones Board for fiscal year 1967. p. H4110

5. PERSONNEL. Received from the Civil Service Commission a proposed bill to amend title 5, United States Code, to establish a visiting scientist and scholar program in the Government; to Post Office and Civil Service Committee. p. H4110

6. CENSUS. Rep. Betts discussed his reasons for introducing a bill on and urging census reform. pp. H4052-75

7. TAXATION. Rep. Hungate inserted a resolution of the Western Governors' Conference "urging the House of Representative to further Federal-State relations in taxation by defeating H. R. 2158, the Interstate Taxation Act," and "passage by the Congress of the consent bill, H. R. 9476, for the multistate tax compact." p. H4019

Rep. Willis inserted a study of the effects of H. R. 2158, the proposed Interstate Taxation Act, on State revenues. pp. H4102-3

Rep. Schadeberg stated "Congress has been whiplashed by the President and the people regarding the proposed tax increase now in conference" and inserted an article, "Don't Yell At Us, We Didn't Do It!" which states the government "should look at its own follies and excesses." pp. H4103-4

8. WATER RESEARCH. Received from Interior "proposals for 32 projects selected for funding under section 200(a) of the Water Resources Research Act of 1964." p. H4110

9. AIR POLLUTION. Rep. Dingell stated that California's air pollution regulations have not changed since 1966 and had his amendment to the 1967 clean air bill been adopted this would not have been the case. pp. H4100-1

10. APPROPRIATIONS. Received from the President a supplemental appropriation estimate for pay increases for fiscal year 1968 (H. Doc. 316); to Appropriations Committee. A table showing the proposed plan for funding these

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HIGHLIGHTS: See page 6

HOUSE

1. CONSUMER CREDIT. Both Houses adopted the conference report on S. 5, to safeguard the consumer in connection with the utilization of credit by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; by restricting the garnishment of wages; and by creating the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance

industry. This bill will now be sent to the President. pp. H4114-28, H4132-35, S6113-20.

2. COUNTY COMMITTEES. The Rules Committee reported a resolution for the consideration of S. 1028, to provide fringe benefits for ASC county committee employees. p. H4173
3. LANDS. The Merchant Marine and Fisheries Committee reported with amendment S. 322, to restrict the disposition of lands acquired as part of the National Wildlife Refuge System (H. Rept. 1424). p. H4173
4. FOREIGN TRADE. The Ways and Means Committee reported with amendment H. R. 15798, to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (H. Rept. 1419). p. H4173
5. FOOT-AND-MOUTH DISEASE; TOBACCO. The Agriculture Committee reported without amendment H. R. 16451, to ~~cooperate with Central America in the eradication of foot and mouth disease~~ (H. Rept. 1422), and with amendment H. R. 17002, to permit transfer of tobacco allotments by lease without clearance from lienholders (H. Rept. 1423). p. H4173
6. TAXATION. Passed, 284-89, with amendment S. 2158, to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce (pp. H4128-32, H4135-63). Adopted an amendment by Rep. Smith, Iowa, to provide that the individual can be taxed on income only in one State, as amended (pp. H4158-62). Rejected a motion by Rep. Hutchinson to recommit the bill (p. H4162). The committee report states that "in its amended form the bill expands the definition of 'business location' to include the regular maintenance of a stock of tangible personal property which is held for sale in the ordinary course of business...facilitates the offering by the States, under income and capital stock tax laws, of tax incentives to attract industry into a State, as well as tax incentives for such purposes as water or air pollution abatement."
Rep. Burke, Mass., stated that on May 29 he will "offer a motion to instruct the managers on the part of the House at the conference on the bill, H. R. 15414, the tax bill, to insist on an expenditure reduction for fiscal year 1969 of \$4 billion, instead of a \$6 billion cut." p. H4163
7. FORESTRY. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 16429, to provide for the conveyance by Interior of certain lands in Grand and Clear Creek Counties, Colo., in exchange for certain national forest lands, and H. R. 3306, to hold in trust the watershed within the Carson National Forest for the Pueblo Indians. p. D468
8. BUILDINGS; WATERSHEDS. The Public Works Committee voted to report (but did not actually report) H. R. 6589, amended, to require Federal buildings to be accessible to physically handicapped persons; and approved 13 watershed projects. p. D466

LEASE AND TRANSFER OF CERTAIN TOBACCO ACREAGE ALLOTMENTS

MAY 22, 1968.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 17002]

The Committee on Agriculture, to whom was referred the bill (H.R. 17002) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 6, following "other than by" insert "annual".

PURPOSE

H.R. 17002 removes the necessity of obtaining the consent of lienholders when a fire-cured, dark air-cured, or Virginia Sun-cured tobacco acreage allotment or acreage-poundage quota is transferred to another farm by annual lease. Legislation enacted in 1962 authorized the transfer of farm acreage allotments for most kinds of tobacco to other farms in the same county on an annual basis. This legislation specifically provides that the amount of acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to tobacco on the farm from which such allotment is transferred and the production pursuant to the lease and transfer shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is transferred.

When the committee was considering legislation to authorize the sale of allotments for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco, it was felt that the sale of allotment from a farm subject to a mortgage or other lien should not be permitted unless the

transfer is agreed to by the lienholders. It was not felt that the consent of lienholders should be required where the transfer was by annual lease, as the allotment would return to the lessor farm upon expiration of the lease. However, in drafting the legislation, the consent of lienholders was required for all transfers for these kinds of tobacco. The committee is advised that this has resulted in considerable inconvenience and expense to farmers desiring to lease their allotments. H.R. 17002 will eliminate this problem and make the provisions for the lease of allotments for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco consistent with the provisions for the lease of allotments for other kinds of tobacco for which transfers are authorized. The consent of lienholders will still be required where transfers are by sale or lease for periods longer than 1 year.

NEED FOR THE LEGISLATION

Transferability of allotments will reduce the production costs and improve the incomes of small producers who desire to continue to produce by permitting them to acquire additional allotments without the heavy cost involved in buying additional land. It will also make it easier for those who do not wish to continue the production of this type of tobacco to transfer their resources into some other enterprises. The requirement that consent of the lienholder be obtained delays and increases the cost of transfers by lease unnecessarily.

HEARINGS

Hearings were held by the Tobacco Subcommittee on May 15, 1968, and testimony was heard from Joseph J. Todd, Deputy Director, Tobacco Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

Hearings were held on May 15, 1968, on H.R. 17002. No opposition was expressed to the bill.

COST

There should be no additional cost to the Government as a result of this legislation.

DEPARTMENTAL POSITION

The Department of Agriculture's position is contained in the statement of Joseph J. Todd before the subcommittee which appears as follows:

STATEMENT OF JOSEPH J. TODD, DEPUTY DIRECTOR, TOBACCO POLICY STAFF, AGRICULTURE STABILIZATION AND CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee, I am Joseph J. Todd, Deputy Director, Tobacco Policy Staff, Agricultural Stabilization and Conservation Service, Department of Agriculture.

I am pleased to give you the Department's views on H.R. 17002.

In April of last year the subcommittee held hearings on a number of bills relating to the sale or lease, and transfer, of tobacco acreage allotments and acreage-poundage marketing quotas.

Following the hearings, a clean bill was introduced which incorporated some changes which were suggested at the hearings. This bill passed both Houses of the Congress, and was approved by the President on July 7, 1967. This law authorizes the lease, for periods not in excess of 5 years, and the outright sale, and transfer, of acreage allotments and acreage-poundage marketing quotas for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco.

We called a meeting of the Fire-cured and Dark Air-cured tobacco leadership in the Kentucky-Tennessee producing area last January to discuss the supply and demand outlook for these tobaccos—and to obtain views as to how much acreage should be allotted for 1968. We inquired as to how much activity there had been under the new legislation. It was reported that there had been very few sales of allotments because farmers who wished to sell allotments and farmers who wished to buy allotments had not agreed on prices. It was reported also that there was less leasing of allotments under the new legislation—which authorized leases for periods up to 5 years—than there had been under the old legislation which authorized annual leases. This was attributed to the fact that the new legislation provided that an allotment for a farm which was subject to mortgage cannot be transferred unless the transfer is agreed to by the lienholder. This provision is not in the old legislation—or current legislation which authorizes lease and transfers for other kinds of tobacco.

It was indicated at this conference that even though the press and other news media had reported the enactment of the new legislation last summer many farmers did not fully understand it. In view of this, we prepared an explanation of the lease and sale, and transfer provisions, and mailed it to the operator of each farm having a Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco acreage allotment.

In a conference of county committeemen and office managers in Kentucky last month it was again brought out that the requirement of obtaining the consent of lienholders was unnecessarily restricting the leasing of allotments. It was pointed out that frequently lienholders were nonresidents—and in addition to the time required to obtain approval, exorbitant fees were sometimes charged. They all agreed that the consent of lienholders should be required if the allotment was being sold as it affected the value of the farm, but that such consent should not be required for leases since the legislation specifically provides that the amount of acreage allotment which is leased from a farm shall be considered for purpose of determining future allotments to have been planted to tobacco on the farm from which it is transferred, and the production pursuant to the lease and transfer shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is transferred.

You will recall that when the subcommittee was considering this legislation, it was agreed that the sale of an allotment from a farm subject to a mortgage or other lien should not be permitted unless the transfer is agreed to by the lienholders. I do not believe that it was intended to require the consent of lienholders where the transfer is by lease—as the allotment returns to the lessor farm—upon expiration of the lease. However, in drafting the legislation, the consent of lienholders was required for all transfers for Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco—regardless of whether the transfer is

by sale or by lease. It is not required for Flue-cured and the other kinds of tobacco for which the lease and transfer of allotments and quotas are authorized.

H.R. 17002 would correct this problem. Under this bill, the consent of lienholders would not be required if the transfer is by lease. On the other hand, the consent of lienholders would still be required if the transfer is by sale.

The Department recommends that H.R. 17002 be passed. The passage of this bill will not require the expenditure of any additional funds.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in *roman*) :

The Agricultural Adjustment Act of 1938, as amended * * *

"SEC. 318. (a) Notwithstanding any other provision of law, the Secretary, if he determines that it will not impair the effective operation of the tobacco marketing quota or price support programs, (1) may permit the owner and operator of any farm for which a Fire-cured, dark air-cured, or Virginia sun-cured tobacco acreage allotment or acreage-poundage quota is established under this Act to sell or lease all or any part or the right to all or any part of such allotment or quota to any other owner or operator of a farm for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment or quota to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment or quota shall be transferred to a farm in another county; [(2) no transfer of an allotment or quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders:] (2) *no transfer other than by annual lease of an allotment or quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;* (3) no sale of a farm allotment or quota from a farm shall be permitted if any sale of allotment or quota to the same farm has been made within the three immediately preceding crop years; and (4) no transfer of allotment or quota shall be effective until a record thereof is filed with the county committee of the county to which such transfer is made and such committee determines that the transfer complies with the provisions of this section.

"(c) The transfer of an allotment or quota under this section shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment or quota and if the transfer is made prior to the determination of the allotment or quota for any year the transfer shall include the right of the owner or operator to have an allotment or quota determined for the farm for such year: *Provided*, That in the case of a transfer by lease the amount of the allotment or quota shall be considered for purposes of determining allotments or quotas after the expiration of the lease to have been planted on the farm from which such allotment is transferred.

“(d) The land in the farm from which the entire tobacco allotment or quota has been transferred shall not be eligible for a new farm tobacco allotment or quota during the five years following the year in which such transfer is made.

“(e) If the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the transfer shall be approved acre for acre. If the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred.

“(f) Any lease under this section may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

“(g) Under the provisions of this section not more than ten acres of allotment may be transferred to any farm: *Provided*, That the total acreage allotted to any farm after such transfer shall not exceed 50 per centum of the acreage of cropland in the farm.

“(h) The lease of any part of a tobacco acreage allotment or acreage-poundage quota under this section determined for a farm shall not affect the allotment or quota for the farm from which such allotment or quota is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment and acreage-poundage quota which is leased from a farm shall be considered for purposes of determining future allotments and quotas to have been planted to tobacco on the farm from which such allotment or quota is leased and the production pursuant to the lease shall not be taken into account in establishing allotments or quotas for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of tobacco for purposes of eligibility to vote in the referendum.

“(i) If the sale or transfer under this section occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.

“(j) The Secretary shall prescribe such regulations and other terms and conditions as he deems necessary for the administration of this section.”



Union Calendar No. 574

90TH CONGRESS
2D SESSION

H. R. 17002

[Report No. 1423]

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1968

Mr. ABBITT introduced following bill; which was referred to the Committee on Agriculture

MAY 22, 1968

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

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6 follows: “(2) no transfer other than by *annual* lease of an
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8 lien shall be permitted unless the transfer is agreed to by
9 the lienholders;”.

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By Mr. ABBETT

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HIGHLIGHT: House passed foot-and-mouth disease bill and bill to lease tobacco allotments without clearance.

SENATE

1. POVERTY. Sen. Nelson inserted an editorial which points out "three fundamentals" to be considered when approaching the problems of poverty. pp. S6724-5
Sen. Miller listed several Federal programs which are trying to alleviate conditions of poverty in this Nation and inserted an editorial, "The Poor People and the Facts of Life." pp. S6740-1
2. SOCIAL GOALS. Sen. Nelson inserted an article, "Reporting on the Social State of the Union" which states "that the 20th century now has the opportunity to

devise 'a long-term strategy for well-being'." pp. S6728-9

3. HOUSING. Sen. Hruska inserted a report of the Task Force on the Functions of Federal, State, and Local Governments which makes specific recommendations designed to attack the urban crisis ranging from housing to intergovernment finance. pp. S6729-35
4. INFLATION. Sen. Miller deplored continuing inflation and stated, "Inflation has had a disastrous impact on the agricultural sector of our economy." pp. S6737-41
5. LEGISLATIVE PROGRAM. The "Daily Digest" states the Senate will consider S. 3218, to extend Export-Import Bank loans, on Tues. p. D503

HOUSE

6. FOOT-AND-MOUTH DISEASE. Passed without amendment H. R. 16451, to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest (p. H4462). The committee report states the bill would allow this Department to join the Central American nations located between Columbia and Mexico, "in a cooperative prevention effort similar to that presently in effect in Mexico. Experienced personnel for technical and field assistance for the recognition of foot-and-mouth disease and other vesicular diseases would be provided by the Department. Early detection is essential to the success of such a program. Manpower, equipment facilities, supplies, etc., have been pledged by the countries in Central America for the support of this program. Once in the field these Department personnel would (a) conduct surveys for diseases; (b) investigate reported outbreaks; (c) collect materials for laboratory tests; (d) organize owners to report suspicious symptoms; (e) develop plans for eradication; and (f) develop educational materials to inform owners of the dangers involved."
7. TOBACCO. Passed as reported H. R. 17002, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938 (p. H4462). The committee report states:

"H.R. 17002 removes the necessity of obtaining the consent of lienholders when a fire-cured, dark air-cured, or Virginia Sun-cured tobacco acreage allotment or acreage-poundage quota is transferred to another farm by annual lease. Legislation enacted in 1962 authorized the transfer of farm acreage allotments for most kinds of tobacco to other farms in the same county on an annual basis. This legislation specifically provides that the amount of acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to tobacco on the farm from which such allotment is transferred and the production pursuant to the lease and transfer shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is transferred.

"When the committee was considering legislation to authorize the sale of allotments for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco, it was felt that the sale of allotment from a farm subject to a mortgage or other

lien should not be permitted unless the transfer is agreed to by the lienholders. It was not felt that the consent of lienholders should be required where the transfer was by annual lease, as the allotment would return to the lessor farm upon expiration of the lease. However, in drafting the legislation, the consent of lienholders was required for all transfers for these kinds of tobacco. The committee is advised that this has resulted in considerable inconvenience and expense to farmers desiring to lease their allotments. H.R. 17002 will eliminate this problem and make the provisions for the lease of allotments for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco consistent with the provisions for the lease of allotments for other kinds of tobacco for which transfers are authorized. The consent of lienholders will still be required where transfers are by sale or lease for periods longer than 1 year."

8. LANDS. Passed without amendment H. R. 16065, to direct the Secretary of Agriculture to release on behalf of the United States conditions in deed conveying certain lands to the State of Iowa (pp. H4464-9). The committee report states:
- "The bill would permit Iowa State University to sell, lease, or otherwise dispose of the land under the following conditions which would be specified in an agreement between the Secretary of Agriculture and the university:
- "(1) All proceeds from the sale, lease, exchange, or disposition of such lands must be used by the university for the acquisition of lands to be held for university purposes, or for the development or improvement of any new lands so acquired; and
- "(2) All proceeds from the sale, lease, or other disposition of lands covered by any such agreement shall be maintained by the university in a separate fund and a record of all transactions involving such funds shall be open to inspection by the Secretary of Agriculture.
- "The bill directs the Secretary of Interior to convey, upon application, all the undivided mineral interests of the United States in any parcel or tract of land released to Iowa State University or to its successors in title. If any mineral value exists, the applicant must pay a fair market value as determined by the Secretary of Interior. Where no mineral value exists, the mineral interests would be conveyed to the applicant for the consideration of \$1. Each application must be accompanied by a nonrefundable deposit to cover the administrative costs as determined by the Secretary of Interior. Upon a conveyance the applicant will pay to the Secretary of Interior all of the administrative costs, less the deposit. If no conveyance is made, the deposit constitutes full satisfaction of the administrative costs."
9. LOANS. The Agriculture Committee reported without amendment H. R. 15562, to authorize loans on leasehold interests in Hawaii (H. Rept. 1509). p. H4489
10. BUILDINGS. The Public Works Committee reported with amendment H. R. 16981, to limit the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond (H. Rept. 1510). p. H4489

Both Houses received from the President a communication commending the report of the National Commission on Architectural Barriers to Rehabilitation

of the Handicapped (H. Doc. 324); to H. Public Works and S. Labor and Public Welfare Committees. pp. H4472, S6719-20

11. ARTS AND HUMANITIES. Received the conference report (H. Rept. 1511) on H. R. 11308, to amend the National Foundation on the Arts and Humanities Act of 1965 to authorize funding through fiscal year 1970, and make certain other changes of a technical nature. pp. H4470-1
12. FORESTRY. Passed as reported, H. R. 3165, for the relief of Hood River County, Oreg., in connection with alleged timber trespass arising out of timber sales (p. H4457). The committee report states the purpose of the bill "is to relieve Hood River County, Oreg., of all liability to the United States, based on the proceeds of timber sales from 160 acres of land considered to have been a part of the Hood River County Forest in the period 1946 through 1961, which land was subsequently held by the United States to be Federal land."
13. PERSONNEL. Passed as reported H. R. 15395, to provide salary step advancements and adjustments for employees moving to and from different pay systems (pp. H4458-9). The committee report states:

"The purpose of this legislation is to increase the mobility of Federal employees between different Federal pay systems--

"(1) by authorizing, in certain cases, a two-step increase for employees who move from a position under one Federal pay system to a higher level position under either the general schedule or the postal field service schedule pay systems; and

"(2) by granting discretionary authority to the Postmaster General to appoint an employee to any position in the postal field service, and to fix his initial rate of compensation in the postal field service at a rate which is less than one full step above the highest basic salary previously received by him as a Federal employee."
14. TAXATION; EXPENDITURES. Rep. Curtis advised that he "would vote for a \$6 billion cut, and the tax increase...if the President will sit down and work out where \$6 billion cuts will be made--and that means beginning right now." pp. H4474-6
15. HOUSING. Rep. Annunzio urged support of the housing bill. p. H4481
16. HUNGER; INFORMATION. Rep. Sisk stated he believed "the press--both broadcast and print media--have let slick writing and dramatic production become more important than the truth" and inserted Secretary Freeman's letters to CBS and Rep. Perkins critical of the CBS report, "Hunger in America." He also inserted the Secretary's statement, "Food--Hunger: 1968." pp. H4482-7
17. MANPOWER. Received the annual report of the Joint Commission on Correctional Manpower Training, Inc. p. H4488
18. WATER RESOURCES. Received from Interior a proposed bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to Interior and Insular Affairs Committee. p. H4488

TO REPEAL SECTION 1727 OF TITLE 18, UNITED STATES CODE, RELATING TO POSTAGE ACCOUNTING

The Clerk called the bill (H.R. 17024) to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, section 1711 of title 18, United States Code.

There being no objection, the Clerk read the bill, as follows:

H.R. 17024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1727 of title 18, United States Code, is hereby repealed; and

(b) The table of contents for chapter 83 of title 18, United States Code, is amended by striking therefrom

"1727. Postage accounting."

SEC. 2. Nothing in this Act shall be construed to affect in any way any prosecution for any offense occurring prior to the date of enactment of such Act.

Mr. POFF. Mr. Speaker, I rise in support of H.R. 17024. The purpose of this bill is to repeal section 1727 of title 18, United States Code, so as to permit prosecution under section 1711 of title 18 where postal employees have failed to remit their postage-due collections.

At present, when a postal employee fails to remit his postage-due collections, both section 1727 and section 1711 apply. Section 1711 says that a person found guilty of this crime "shall be fined in a sum equal to the amount or value of the money or property embezzled," or shall be "imprisoned not more than 10 years, or both; but if the amount or value thereof does not exceed \$100, he shall be fined no more than \$1,000 or imprisoned no more than 1 year, or both."

On the other hand, section 1727 says that the person found guilty of the same crime "shall be fined no more than \$50."

Thus, the question arises as to which penalty the court might impose. This is a serious question in view of the fact that in some cases as much as \$10,000 has been embezzled. Where one statute says that the court may not punish the defendant in excess of a \$50 fine, and another statute says that for the same crime the court may not punish the defendant in excess of a 10-year prison sentence and/or a more severe fine, it follows that the only way that the court can obey both statutes is by imposing the lesser penalty. This principle applies in other areas of the law. For example, when a plaintiff seeks to bring a lawsuit, and finds that there are two statutes of limitation that apply, he, of course, must obey them both, the shorter as well as the longer.

Since the courts have followed this principle in postal embezzlement cases, this legislation becomes necessary. By eliminating the lower limitation, the court becomes free to impose the appropriate penalty.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTEREST RATES ON LOANS AND MORTGAGES

The Clerk called the bill (H.R. 14796) to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3017, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman from Maryland if this limitation or ceiling for interest rates is for all time to come? And if the answer is in the affirmative, will the legislation or committee then reduce the ceiling at a subsequent time should our economy stabilize and interest rates in general decline?

Mr. GARMATZ. I would say the answer is "yes."

Mr. HALL. The answer is "yes" to both questions?

Would it require additional legislation to lower the interest rate subsequently?

Mr. GARMATZ. No. The administration of the Merchant Marine Administration has the right to lower the rates if necessary.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the Senate bill, as follows:

S. 3017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1104(a) (5) of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"(5) shall secure bonds, notes, or other obligations bearing interest (exclusive of premium charges for insurance, and service charges, if any) at rates not to exceed such per centum per annum on the principal obligation outstanding as the Secretary of Commerce determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce;"

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 14796) was laid on the table.

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

The Clerk called the bill (S. 2452) to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab

Orchard National Wildlife Refuge in Illinois.

There being no objection, the Clerk read the bill, as follows:

S. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the obtaining or retaining of exclusive jurisdiction or any other measure of legislative jurisdiction by the United States over lands or interests therein which have been or shall hereafter be acquired as part of the Crab Orchard National Wildlife Refuge in Illinois shall not be required. The Secretary of the Interior may relinquish to the State of Illinois such measure of legislative jurisdiction as he may deem desirable over any lands or interests in the said refuge that are under his immediate jurisdiction, custody, or control. Such relinquishment of jurisdiction on the part of the United States shall be indicated by filing a notice thereof in such manner as may be prescribed for this purpose by the laws of the State of Illinois, and unless and until a notice is filed in accordance with such State laws, or with the Governor if the laws of such State do not prescribe another manner, it shall be conclusively presumed that no transfer of jurisdiction pursuant to this Act has taken place, nor shall any transfer of legislative jurisdiction pursuant to this Act take place unless and until the State of Illinois has accepted jurisdiction in such manner as its laws may provide. Upon a relinquishment by the United States of all of its legislative jurisdiction over said refuge to the State of Illinois, the State thereafter shall, with respect to such area, exercise the same jurisdiction which it would have had if legislative jurisdiction over such area had never been in the United States.

Sec. 2. Any civil or criminal process, lawfully issued by competent authority of the State of Illinois or political subdivision thereof may be served and executed within any area of the Crab Orchard National Wildlife Refuge under the exclusive, partial, or concurrent jurisdiction of the United States to the same extent and with the same effect as though such area were not subject to the legislative jurisdiction of the United States: Provided, That this section shall not be construed to affect the rights of authorized officers of the Federal Government or of any department or agency thereof to issue rules and regulations at any time for the purpose of preventing interference with the carrying out of Federal functions.

Mr. GRAY. Mr. Speaker, I rise in support of this legislation. In the interest of good law enforcement and in behalf of convenience for the visitor who enjoys the fine facilities at the Crab Orchard National Wildlife Refuge, this legislation is needed.

Crab Orchard National Wildlife Refuge—located in the State of Illinois—comprises approximately 43,000 acres of land over which uniform Federal and State jurisdiction does not exist. The northeastern portion of the refuge, consisting of approximately 21,000 acres of land, was formerly administered by the War Department as the Illinois ordnance plant. Exclusive legislative jurisdiction of these lands was accepted by the United States from the State in 1942. Such jurisdiction continues to be vested in the United States and cannot be relinquished except by an act of Congress.

Except for a small area of about 20 acres acquired by the Department of the Army, the remainder of the refuge area,

of approximately 21,500 acres in the western half of the refuge, was acquired from 1933 to 1935 by the Resettlement Administration of the Department of Agriculture. The United States has something less than exclusive legislative jurisdiction over this area.

The act of August 5, 1947 (61 Stat. 770) transferred to the Secretary of the Interior—for administration, development, and disposition—the 43,000 acres of land, now known as the Crab Orchard National Wildlife Refuge.

As to land in the exclusive legislative jurisdiction area, only Federal laws are applicable, and criminal laws may be enforced only by Federal authorities and in Federal courts. In the rest of the refuge—as in other refuges and most other federally owned areas—State laws not inconsistent with Federal purposes are applicable and are enforced by State authorities, supplemented by Federal laws and regulations which are enforced by Federal authorities.

Various law-enforcement problems involving both capital offenses and minor crimes have arisen out of the existence of the mixed jurisdiction of this refuge.

Some examples of the problem are: Hunting, fishing, and trapping are permitted on various parts of the refuge by Federal regulations, which in all instances require that the hunter, fisherman, or trapper comply with State laws and regulations, and State licensing requirements. However, State officials lack authority to prosecute violations occurring on the portion of the refuge subject to exclusive jurisdiction.

In 1961, an employee of one of the industries in the area was involved in an automobile accident on the portion of the refuge subject to exclusive legislative jurisdiction. Illinois State police endeavored to prosecute the employee for not having in his possession a motor vehicle operator's license. They were unsuccessful because of lack of jurisdiction.

A motor grader owned by a contractor—who was building a public highway through the portion of the refuge subject to exclusive legislative jurisdiction—was sabotaged in 1958. The State police refused to investigate because the crime occurred on an area subject to the exclusive jurisdiction of the United States. Thus, it was necessary to call in the FBI. Such action could have been avoided had the State possessed legislative jurisdiction over the area.

There would be no additional cost to the Federal Government in the event this legislation is enacted.

In fact, it is estimated by the Department of the Interior that its enactment should result in a savings of time and manpower on the part of refuge personnel and, at times, that of other Federal law-enforcement officers.

I urge passage. Thank you.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZE COOPERATION WITH CENTRAL AMERICAN COUNTRIES TO CONTROL CERTAIN LIVESTOCK DISEASES

The Clerk called the bill (H.R. 16451) to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest.

There being no objection, the Clerk read the bill, as follows:

H.R. 16451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to cooperate with the several governments of Central America in carrying out operations or measures to prevent or retard, suppress, or control, or to eradicate foot-and-mouth disease or rinderpest in Central America where he deems such action necessary to protect the livestock and related industries of the United States. In performing the operations or measures herein authorized, the several governments of Central America shall be responsible for the authority necessary to carry out such operations or measures on all lands and properties in each nation and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary. The measure and character of cooperation carried out under this Act on the part of the United States and on the part of the several governments of Central America, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this Act shall be made through and in consultation with the Secretary of State. The authority contained in this Act is in addition to and not in substitution for the authority of existing law.

SEC. 2. For purposes of this Act, funds appropriated pursuant thereto may also be used for the purchase or hire of passenger motor vehicles and aircraft, for printing and binding without regard to section 87 of the Act of January 12, 1895, or section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and for the employment of civilian nationals of the several nations of Central America.

SEC. 3. The governments of Central America, for the purposes of this Act, mean the governments for those countries located between the Republic of Columbia and the Republic of Mexico.

SEC. 4. In carrying out this Act the Secretary of Agriculture is further authorized to cooperate with other public and private organizations and individuals.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE AND TRANSFER OF CERTAIN TOBACCO ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 17002) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938.

There being no objection, the Clerk read the bill, as follows:

H.R. 17002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 318 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1318(b)), be amended by changing the second condition to read as follows: "(2) no transfer other than by lease of an allotment or quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;"

With the following committee amendment:

On page 1, line 6, following "other than by" insert "annual".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR PREPARATION OF A ROLL OF PERSONS OF CALIFORNIA INDIAN DESCENT AND THE DISTRIBUTION OF CERTAIN JUDGMENT FUNDS

The Clerk called the bill (H.R. 10911) to provide for preparation of a roll of persons of California Indian descent who are eligible to share in the distribution of certain judgment funds and for a referendum on the compromise settlement in consolidated dockets Nos. 31, 37, 80, 80-D, and 347, Indian Claims Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. The gentleman from Pennsylvania [Mr. JOHNSON] reserves the right to object.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, first of all I would like to have one of the sponsors tell the House how much money will be available for distribution to the Indians of California.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Colorado.

Mr. ASPINALL. There will be available as of this time—and of course the interest is accumulating every day—\$30.2 million.

Mr. JOHNSON of Pennsylvania. That would be the total amount available for distribution?

Mr. ASPINALL. As of this time, but the interest is accumulating on that amount daily.

Mr. JOHNSON of Pennsylvania. The next question is that if a roll is taken as to the number of Indians entitled to share in this distribution, approximately how many Indians would be involved? What would be the total number that the gentleman would expect to be enrolled?

Mr. ASPINALL. If my colleague will yield once again, the exact number, of

June 19, 1968

SENATE

13. LANDS. The Agriculture and Forestry Committee reported without amendment H. R. 17320, to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co. (S. Rept. 1268). p. S7441
14. CREDIT UNIONS. Passed as reported H. R. 14907, to amend the Federal Credit Union Act. p. S7430
15. MILITARY CONSTRUCTION. Continued debate on H. R. 16703, the military construction bill, which includes funds for payment of the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas. pp. S7463-75
16. FOOT-AND-MOUTH DISEASE. The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 16451, to authorize the Secretary of Agriculture to cooperate with governments of Central America in the control and eradication of foot-and-mouth disease. p. D572
17. TOBACCO. The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 17002, relating to conditions imposed in the transfer of certain tobacco acreage allotments. p. D572
18. WORLD FARM CENTER. The Agriculture and Forestry Committee voted to report (but did not actually report) H. Con. Res. 413, to further advance international agriculture through the concept of a world farm center. p. D572
19. APPROPRIATIONS. The Appropriations Committee voted to report with amendments (but did not actually report) H. R. 17734, the second supplemental appropriation bill, 1968, and H. R. 17354, the Department of the Interior, and related agencies appropriation bill, 1969. p. D572
20. COFFEE. The Foreign Relations Committee voted to report (but did not actually report) the International Coffee Agreement of 1968. p. D573
21. COTTON. The Foreign Relations Committee voted to report (but did not actually report) without recommendation and with comments on the foreign policy implications of S. 1975, to exclude from import quota extra-long-staple cotton received from countries which have severed diplomatic relations with the U.S. during the year prior to enactment. p. D573
22. POVERTY. Sen. Young, Ohio, deplored poverty in America and welcomed "the poor people and the representatives of the poor people" to Washington. pp. S7434-5
23. TRADEMARKS. Received from Treasury a proposed bill to amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws; to the Judiciary Committee. p. S7441

24. HEALTH; SAFETY. Sen. Yarborough inserted HEW Assistant Secretary Lee's testimony on the occupational safety and health bill. pp. S7444-6
25. TAXATION. Sen. Smathers urged "the immediate adoption of the conference report" on the 10-percent surtax and the \$6 billion expenditure reduction measure. pp. S7446-8
26. FOREIGN TRADE. Sen. Smathers praised U. S. participation in the special drawing rights in the International Monetary Fund. pp. S7452-3
27. CONSUMER PROTECTION. Sen. Magnuson inserted an article "Can Better Systems Be Devised to Handle Consumer Complaints?" pp. S7455-7
28. LEGISLATIVE PROGRAM. By unanimous consent, it was agreed that on Fri., June 21, if the House has adopted the conference report on the proposed Revenue and Expenditure Control Act of 1968, Senate will proceed to its consideration. p. S7476
29. ADJOURNED until 9 a.m., Fri., June 21. p. S7476

EXTENSION OF REMARKS

30. GRAPES. Rep. Mathias, Calif., inserted a telegram calling attention to a boycott of Calif. grapes by AFL-CIO and chain store organizations. p. E5587
31. PURCHASING. Rep. Thompson, Ga., inserted GAO figures on Government-wide purchasing, with emphasis on contracts awarded by competitive bidding, and stated that the shown results are a "disgrace to the American taxpayer." pp. E5591-5
32. TAXATION; EXPENDITURES. Rep. Eckhardt expressed opposition to certain provisions of the surcharge tax expenditure cut package. pp. E5602-3
33. FOREIGN TRADE. Rep. Fraser inserted a statement opposing the imposition of import quotas. pp. E5605-7
Rep. Fisher stated that the "trade policy of this country is due for a thorough review" and inserted a statement of review together with recommendations of new directions. pp. E5626-8
34. DEFENSE PRODUCTION. Rep. Gonzalez inserted his testimony in support of the bill to extend the Defense Production Act. pp. E5608-9
35. HUNGER. Rep. Horton said that hunger is an American national emergency and must be treated as a national problem, with the accompanying Federal initiative, and with emergency measures. p. E5615
36. PERSONNEL. Rep. Leggett expressed support for the proposed Civil Service Retirement Modernization Act of 1968. p. E5619

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

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HIGHLIGHTS: Senate committee reported second supplemental appropriation and Interior appropriation bills. Senate agreed to conference report on revenue-expenditure control bill. Senate committee reported foot-and-mouth disease bill and bill to lease tobacco allotments without clearance. Senate committee reported International Coffee Agreement and bill to prohibit certain cotton imports. Senate committee reported supergrades bill. Senate disagreed to House amendments to Public Law 480 and appointed conferees.

SENATE

1. TAXATION. Agreed to, 64-16, the conference report on H. R. 15414, the proposed Revenue and Expenditure Control Act of 1968 (pp. S7562-4, S7480-508). For provisions see Digest 106.
During the debate on the conference report Sen. Morse said that tax reform is what the American farmer needs and said that one of the reasons for migration of farmers to urban areas is the effect of what the vertical monopoly development

is doing to American agriculture (pp. S7485-6); and Sen. McGovern said that as much as \$400 million in tax revenues are now escaping because people and corporations are making income on nonfarm operations and are using agriculture as a means of reducing taxable income (pp. S7487-8). Sen. Javits listed ways to accommodate a \$6 billion expenditure cut mentioning "the \$7 billion agricultural program" (p. S7500).

2. BUILDINGS. Conferees were appointed on S. 222, to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped (p. S7522). House conferees have not been appointed.
3. COUNTY COMMITTEES. Concurred in House amendments to S. 1028, to extend certain benefits to former employees of county committees (p. S7522). For provisions see Digest 83. This bill will now be sent to the President.
4. FOOD FOR FREEDOM. Conferees were appointed on S. 2986, to extend Public Law 480 for 3 years. House conferees have not been appointed. pp. S7522-3
5. MILITARY CONSTRUCTION. Continued debate on H. R. 16703, the military construction bill, which includes funds for payment of the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas. pp. S7509, S7529-55
6. COFFEE. The Foreign Relations Committee reported without reservation the International Coffee Agreement, 1968. p. S7556
7. TRANSPORTATION. Received from the Transportation Department a proposed bill to unify and consolidate the rules for navigation of the waters of the United States; to the Commerce Committee. p. S7555
8. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 17754, the Department of the Interior and related agencies appropriation bill (S. Rept. 1275) (p. S7756). A table reflecting the items for the Forest Service is attached to this Digest.
The Appropriations Committee reported with amendments on June 19 during recess H. R. 17734, the second supplemental appropriation bill, 1968 which includes \$32 million for the school lunch program for fiscal year 1969. The bill also includes items for defense, increased pay costs for Federal employees, and grants to states for public assistance (S. Rept. 1269) (p. S7480). For a table reflecting committee action on the bill see Digest 106.
9. TOBACCO; ~~LANDS; FOOT AND MOUTH DISEASE; WORLD FARM CENTER.~~ The Agriculture and Forestry Committee reported the following bills: H. R. 17002, without amendment, to amend the Agricultural Adjustment Act of 1938 to permit the transfer of tobacco allotments by lease without clearance from lienholders (S. Rept. 1270). H. R. 16065, without amendment, to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to Iowa (S. Rept. 1272). H. R. 16451, without amendment, to authorize cooperation with the several governments of Central America in the prevention

LEASE AND TRANSFER OF CERTAIN TOBACCO ACREAGE ALLOTMENTS

JUNE 21 (legislative day, JUNE 19), 1968.—Ordered to be printed

Mr. HOLLAND, from the Committee on
Agriculture and Forestry, submitted the following

REPORT

[To accompany H.R. 17002]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 17002) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

This bill would remove the statutory requirement for consent of the lienholder to a 1-year lease of a Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco allotment. Such consent is not deemed necessary where the lease is for 1 year only, and has proved troublesome and expensive to farmers desiring to make such leases. For transfers for periods exceeding 1 year the lienholder's consent would still be required, leases for other kinds of tobacco being on an annual basis only.

Enactment of the bill should result in no additional cost to the Government.

The bill is further explained in the following statement of the Department favoring enactment, which was presented to a subcommittee of the House Committee on Agriculture:

STATEMENT OF JOSEPH J. TODD, DEPUTY DIRECTOR, TOBACCO
POLICY STAFF, AGRICULTURE STABILIZATION AND CONSER-
VATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee, I am Joseph J. Todd, Deputy Director, Tobacco Policy Staff, Agricultural Stabilization and Conservation Service, Department of Agriculture.

I am pleased to give you the Department's views on H.R. 17002.

In April of last year the subcommittee held hearings on a number of bills relating to the sale or lease, and transfer, of tobacco acreage allotments and acreage-poundage marketing quotas.

Following the hearings, a clean bill was introduced which incorporated some changes which were suggested at the hearings. This bill passed both Houses of the Congress, and was approved by the President on July 7, 1967. This law authorizes the lease, for periods not in excess of 5 years, and the outright sale, and transfer, of acreage allotments and acreage-poundage marketing quotas for Fire-cured, Dark Air-cured, and Virginia Sun-cured tobacco.

We called a meeting of the Fire-cured and Dark Air-cured tobacco leadership in the Kentucky-Tennessee producing area last January to discuss the supply and demand outlook for these tobaccos—and to obtain views as to how much acreage should be allotted for 1968. We inquired as to how much activity there had been under the new legislation. It was reported that there had been very few sales of allotments because farmers who wished to sell allotments and farmers who wished to buy allotments had not agreed on prices. It was reported also that there was less leasing of allotments under the new legislation—which authorized leases for periods up to 5 years—than there had been under the old legislation which authorized annual leases. This was attributed to the fact that the new legislation provided that an allotment for a farm which was subject to mortgage cannot be transferred unless the transfer is agreed to by the lienholder. This provision is not in the old legislation—or current legislation which authorizes lease and transfers for other kinds of tobacco.

It was indicated at this conference that even though the press and other news media had reported the enactment of the new legislation last summer many farmers did not fully understand it. In view of this, we prepared an explanation of the lease and sale, and transfer provisions, and mailed it to the operator of each farm having a Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco acreage allotment.

In a conference of county committeemen and office managers in Kentucky last month it was again brought out that the requirement of obtaining the consent of lienholders was unnecessarily restricting the leasing of allotments. It was pointed out that frequently lienholders were nonresidents—and in addition to the time required to obtain approval, exorbitant fees were sometimes charged. They all agreed that the consent of lienholders should be required if the allotment was being sold as it affected the value of the farm, but that such consent should not be required for leases since the legislation specifically provides that the amount of acreage allotment which is leased from a farm shall be considered for purpose of determining future allotments to have been planted

to tobacco on the farm from which it is transferred, and the production pursuant to the lease and transfer shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is transferred.

You will recall that when the subcommittee was considering this legislation, it was agreed that the sale of an allotment from a farm subject to a mortgage or other lien should not be permitted unless the transfer is agreed to by the lienholders. I do not believe that it was intended to require the consent of lienholders where the transfer is by lease—as the allotment returns to the lessor farm—upon expiration of the lease. However, in drafting the legislation, the consent of lienholders was required for all transfers for Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco—regardless of whether the transfer is by sale or by lease. It is not required for Flue-cured and the other kinds of tobacco for which the lease and transfer of allotments and quotas are authorized.

H.R. 17002 would correct this problem. Under this bill, the consent of lienholders would not be required if the transfer is by lease. On the other hand, the consent of lienholders would still be required if the transfer is by sale.

The Department recommends that H.R. 17002 be passed. The passage of this bill will not require the expenditure of any additional funds.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman) :

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

SEC. 318. (a) Notwithstanding any other provision of law, the Secretary, if he determines that it will not impair the effective operation of the tobacco marketing quota or price support programs, (1) may permit the owner and operator of any farm for which a Fire-cured, dark air-cured, or Virginia sun-cured tobacco acreage allotment or acreage-poundage quota is established under this Act to sell or lease all or any part or the right to all or any part of such allotment or quota to any other owner or operator of a farm for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment or quota to any other farm owned or controlled by him.

(b) Transfers under this section shall be subject to the following conditions: (1) no allotment or quota shall be transferred to a farm in another county; **[(2) no transfer of an allotment or quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;]** *(2) no transfer other than by annual lease of an allotment or quota from a farm subject to a*

mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment or quota from a farm shall be permitted if any sale of allotment or quota to the same farm has been made within the three immediately preceding crop years; and (4) no transfer of allotment or quota shall be effective until a record thereof is filed with the county committee of the county to which such transfer is made and such committee determines that the transfer complies with the provisions of this section.

(c) The transfer of an allotment or quota under this section shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment or quota and if the transfer is made prior to the determination of the allotment or quota for any year the transfer shall include the right of the owner or operator to have an allotment or quota determined for the farm for such year: *Provided*, That in the case of a transfer by lease the amount of the allotment or quota shall be considered for purposes of determining allotments or quotas after the expiration of the lease to have been planted on the farm from which such allotment is transferred.

(d) The land in the farm from which the entire tobacco allotment or quota has been transferred shall not be eligible for a new farm tobacco allotment or quota during the five years following the year in which such transfer is made.

(e) If the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the transfer shall be approved acre for acre. If the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred.

(f) Any lease under this section may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

(g) Under the provisions of this section not more than ten acres of allotment may be transferred to any farm: *Provided*, That the total acreage allotted to any farm after such transfer shall not exceed 50 per centum of the acreage of cropland in the farm.

(h) The lease of any part of a tobacco acreage allotment or acreage-poundage quota under this section determined for a farm shall not affect the allotment or quota for the farm from which such allotment or quota is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment and acreage-poundage quota which is leased from a farm shall be considered for purposes of determining future allotments and quotas to have been planted to tobacco on the farm from which such allotment or quota is leased and the production pursuant to the lease shall not be taken into account in

establishing allotments or quotas for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of tobacco for purposes of eligibility to vote in the referendum.

(i) If the sale or transfer under this section occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.

(j) The Secretary shall prescribe such regulations and other terms and conditions as he deems necessary for the administration of this section.



Calendar No. 1249

90TH CONGRESS
2D SESSION

H. R. 17002

[Report No. 1270]

IN THE SENATE OF THE UNITED STATES

JUNE 4, 1968

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 21 (legislative day, JUNE 19), 1968

Reported by Mr. HOLLAND, without amendment

AN ACT

To amend the tobacco marketing quota provisions of the
Agricultural Adjustment Act of 1938.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 318 of the Agricultural Ad-
4 justment Act of 1938, as amended (7 U.S.C. 1318 (b)),
5 be amended by changing the second condition to read as
6 follows: “(2) no transfer other than by annual lease of an
7 allotment or quota from a farm subject to a mortgage or
8 other lien shall be permitted unless the transfer is agreed to
9 by the lienholders;”.

Passed the House of Representatives June 3, 1968.

Attest:

W. PAT JENNINGS,

Clerk.

90TH CONGRESS
2d Session

H. R. 17002

[Report No. 1270]

AN ACT

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938.

JUNE 4, 1968

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 21 (legislative day, JUNE 19), 1968

Reported without amendment

Senate

June 24, 1968

- 3 -

11. LANDS. Passed without amendment H. R. 16429, to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colorado, in exchange for certain lands within the national forests of Colorado. This bill will now be sent to the President. pp. S7601-2
12. MILITARY CONSTRUCTION. Continued debate on H. R. 16703, the military construction bill, which includes funds for payment of the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas. pp. S7618-53, S7655-8
13. HOLIDAYS. Passed without amendment H. R. 15951, to provide for uniform annual observances of certain legal public holidays on Mondays, to become effective Jan. 1, 1971. This bill will now be sent to the President. pp. S7588-9
14. TOBACCO. Passed without amendment H. R. 17002, to permit the transfer of tobacco allotments by lease without clearance from lienholders. This bill will now be sent to the President (p. S7668). See Digest 94 for provisions.
June 3-1968
15. FOOT-AND-MOUTH DISEASE. Passed without amendment H. R. 16451, to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest. This bill will now be sent to the President. p. S7668
16. ANIMAL RESEARCH. Passed as reported H. R. 3639, to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs. p. S7666
17. VOCATIONAL REHABILITATION. Passed as reported H. R. 16819, to amend the Vocational Rehabilitation Act to extend the authorization of grants to States for the rehabilitation services, to broaden the scope of goods and services available under that act for the handicapped. pp. S7666-7
18. WORLD FARM CENTER. Agreed to ^{without amendment} H. Con. Res. 413, to endorse the concept of World Farm Center. At the request of Sen. Mansfield the following excerpt from the committee report was inserted: "The World Farm Center is to be located southeast of Ontario, Calif. It will operate an international agricultural information documentation center, demonstration centers with actual working prototypes of a dairy, meat processing plants, canneries, bakery, and other exhibits showing activities allied with producing and readying agricultural products for market." p. S7668
19. DEFENSE PRODUCTION. The Banking and Currency Committee voted to report (but did not actually report) with amendments H. R. 17268, to extend the Defense Production Act. p. D590
20. HIGHWAYS. The Public Works Committee voted to report (but did not actually report) S. 3418, authorizing funds for the Federal-aid highway program for fiscal years 1970-71. p. D591

Sen. Jackson alerted the Senate to an "anticonservation amendment" to the highway authorization bill now pending before the House Public Works Committee. pp. S7611-3

21. CONSERVATION. Sen. Yarborough inserted an article relative to the need to preserve Big Thicket through the creation of a Big Thicket National Park, Tex. pp. S7603-5
22. HEALTH; SAFETY. Sen. Yarborough inserted an editorial calling for occupational safety regulations at the national level. p. S7603
23. RURAL-URBAN BALANCE. Sen. Sparkman stated "more jobs and larger payrolls in rural America are the cornerstones of a proper rural-urban balance" and commended SBA's rural renewal program. p. S7613
24. TAXATION; EXPENDITURES. Sen. Mansfield inserted Sen. Bartlett's explanation for his vote against the conference report on the revenue and expenditure control bill. pp. S7608-9
25. HOUSING. Sen. Bayh called attention to a new housing construction process developed by the Midwest Applied Science Corp. and inserted a news release on the subject. pp. H7605-8

EXTENSION OF REMARKS

26. TAXATION; EXPENDITURES. Several Reps. spoke in favor of the revenue-expenditure control "package" and others opposed it. pp. E5741-2, E5757, E5758-9, E5772-3, E5783, E5792-3
27. COTTON; FOREIGN TRADE. Rep. Mahon stated that cotton is one of our most important export commodities, and inserted the report of the Cotton Trade Mission to Europe. pp. E5752-5
Rep. Gathings expressed need to expand markets for American-grown cotton. pp. E5800-1
28. FARM PROGRAM. Rep. Zwach said that farmers need to "unite on common grounds in order to intensify and strengthen their voice in a largely urbanized Congress." pp. E5757-8
29. HUNGER; FOOD. Rep. Zablocki praised the development and large-scale use of a protein-rich blended food product known as CSM. pp. E5769-71
Rep. Gonzalez inserted an article, "Why Must There Be Hunger?" pp. E5776-7
30. OPINION POLL. Rep. Cohelan inserted the results of a questionnaire, including items of interest to this Department. pp. E5773-4
31. WEIGHTS AND MEASURES. Rep. Miller inserted an article recommending adoption of the metric system. pp. E5777-8

and insert "1972."; on page 3, line 16, after "(14)" insert "and by striking out '1965' and inserting in lieu thereof '1969.'"; on page 4, after line 16, strike out:

(d) Whenever the Secretary determines that the amount allotted to a State or States under subsection (a) (1) of this section for any fiscal year is not sufficient for such State to carry out the purposes of this section in such State and that such State will be able to use additional amounts during such year, he shall increase such State's allotment to the extent that he deems necessary. The amount of such increase shall be derived by reducing the allotments proportionately of such other States as he may select, giving due regard to each of such other States' needs in carrying out the purposes of this section.

And, in lieu thereof, insert:

(d) Whenever the Secretary determines that any amount of an allotment to a State for any fiscal year will not be utilized by such State in carrying out the purposes of this section, he shall make such amount available for carrying out the purposes of this section to one or more other States which he determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for purposes of this Act, be regarded as an increase in such State's allotment (as determined under the preceding provisions of this section) for such year.

On page 5, line 18, after the word "by" insert "(A)"; in line 19, after the word "shall," strike out "and" and insert "(B)"; in line 20, after the word "grants", insert "(C) inserting in clause (1) thereof after 'several States' the following: ", and problems related to the rehabilitation of the mentally retarded", and (D)"; in line 22, after the amendment just above stated, strike out "and by"; on page 6, line 7, after "June 30," strike out "1974," and insert "1972."; on page 7, after line 3, insert:

(2) The second sentence of section 4(a) of the Vocational Rehabilitation Act is amended by striking out "vocational rehabilitation" and inserting in lieu thereof "vocational rehabilitation of the handicapped or to the rehabilitation of the mentally retarded".

On page 12, line 1, after the word "orthotic" strike out "devices;" and insert "devices, (iv) eye glasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist;"; on page 14, line 20, after the word "buildings" strike out "and of buildings constructed with payments made under section 2," on page 16, line 11, after the word "and", strike out "17" and insert "16"; in line 12, after the word "new" strike out "buildings and" and insert "buildings,;"; in line 13, after the word "buildings," insert "initial equipment of such new buildings or newly acquired buildings, and initial staffing thereof (for a period not to exceed four years and three months),"; on page 17, line 13, after "June 30, 1970," insert "and"; in line 14, after "June 30," strike out "1971, and \$40,000,000 for the fiscal year ending June 30, 1972," and insert "1971"; in line 17, after the word "thereof" strike out "1974" and insert "1973."; on page 19, line 10, after

"June 30, 1970," insert "and"; in line 11, after "June 30," strike out "1971, and \$40,000,000 for the fiscal year ending June 30, 1972" and insert "1971."; and on page 26, at the beginning of line 5, "such sums as may be required."; and insert "not to exceed the sum of \$1,000,000'."

Mr. HILL. Mr. President, I have the honor to submit to the Senate the Vocational Rehabilitation Amendments of 1968, H.R. 16819. This legislation was approved by the House of Representatives by a vote of 335 yeas and no nays. Nor was there a dissenting vote in the Committee on Labor and Public Welfare when the measure was approved.

H.R. 16819 would extend the authorization for appropriations for the basic program of grants to States under section 2 of the Vocational Rehabilitation Act. A minimum State allotment of \$1 million would be provided for and States would be permitted to use up to 10 percent of their funds, on a matching basis, for the construction of rehabilitation facilities. The Federal share under section 2 would be increased from 75 percent to 80 percent, effective July 1, 1969. The authorization for appropriations would be \$700 million for 1971.

FOR CONSTRUCTION SAME MATCHING AS
HILL-BURTON

The legislation would extend the authorization for appropriations under section 3 of the act for grants to States for innovation of vocational rehabilitation services. Reallocation of funds to the States would be authorized. The authorization for appropriations would be \$3.2 million for 1969, \$6 million for 1970, and \$10 million for 1971. The authorization for appropriations under section 4 of the act for grants for special projects under this section would be expanded to include projects with industry for training the handicapped, grants for training manpower for agencies serving the handicapped, grants for developing new career opportunities for the handicapped, and grants that would contribute to the rehabilitation of the mentally retarded. The authorization for appropriations would be \$80 million for 1969, \$115 million for 1970, and \$140 million for 1971.

H.R. 16819 would also extend the authorizations for appropriations for the construction rehabilitation facilities under section 12 of the act and for rehabilitation facilities improvement under section 13 of the act. Both of these sections were added by the 1965 amendments to the Vocational Rehabilitation Act. The combined authorizations for appropriations total \$20 million for 1969, \$40 million for 1970 and \$60 million for 1971.

A new section 15 of the act would provide for vocational evaluation and work adjustment services for the handicapped and other individuals disadvantaged by reason of youth, advanced age, and other conditions that constitute a barrier to employment. The authorization for appropriations would be \$50 million for 1969, \$75 million for 1970, and \$100 million for 1971.

FORMULA POPULATION AND PER CAPITA INCOME

Finally, the legislation would increase the amount authorized to be appropriated

for the work of the President's Committee on Employment of the Handicapped to \$1 million per year.

In approving H.R. 16819 the committee adopted several amendments to the measure as passed by the House of Representatives. First of all, the legislation as reported limits the authorizations for appropriations to fiscal year 1971. As passed by the House, the authorizations extended through fiscal year 1972. The elimination of the year 1972 deletes the authority for the total appropriation of \$1,060,000,000.

HOUSE PASSES \$2,500,000

Another amendment proposed by the Department of Health, Education, and Welfare and adopted by the committee would include expenditures for initial staffing within the 10-percent limitation on construction under section 2 grants.

Under existing law, the special project grants authorized under section 4 of the act for research, demonstrations, and training may only be awarded for projects related to vocational rehabilitation. The proposed amendment would permit the financing of projects for the rehabilitation of mentally retarded individuals. This amendment does not result in any additional authorization for appropriations.

The committee also adopted an amendment to provide for the use of the services of optometrists in vocational rehabilitation programs through an amendment to the definition of "vocational rehabilitation services."

As passed by the House, H.R. 16819 authorizes the Secretary of Health, Education, and Welfare to reduce funds allocated to States under section 3 of the Vocational Rehabilitation Act, giving "due regard" to their needs for the funds, in order to provide additional amounts to other States to finance approved projects. An amendment adopted by the committee would make it mandatory that the Secretary determine that a State would not utilize its allotment of funds prior to transfer to another State.

Mr. President, this legislation is endorsed by the Department of Health, Education, and Welfare, by the National Rehabilitation Association, the American Optometric Association, the National Federation of the Blind, and the American Foundation for the Blind.

As I mentioned earlier, H.R. 16819 was approved in the House of Representatives by a vote of 335 yeas to no nays. There was not a dissenting vote when the legislation was approved by the Committee on Labor and Public Welfare.

I urge the Senate to approve H.R. 16819.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar beginning with Calendar No. 1249, to and including Calendar No. 1254.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOBACCO MARKETING QUOTA PROVISIONS

The bill (H.R. 17002) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938 was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1270), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would remove the statutory requirement for consent of the lienholder to a 1-year lease of a Fire-cured, Dark Air-cured, or Virginia Sun-cured tobacco allotment. Such consent is not deemed necessary where the lease is for 1 year only, and has proved troublesome and expensive to farmers desiring to make such leases. For transfers for periods exceeding 1 year the lienholder's consent would still be required, leases for other kinds of tobacco being on an annual basis only.

Enactment of the bill should result in no additional cost to the Government.

WORLD FARM CENTER

The concurrent resolution (H. Con. Res. 413) to endorse the concept of World Farm Center was considered and agreed to, as follows:

Whereas the business of agriculture is a basic industry vital to the economy and sustenance of the United States of America and the entire world; and

Whereas the development of techniques, research, and procedures for the improvement of the agricultural industry is necessary for the well-being of the farmers and consumers of farm products; and

Whereas World Farm Center advocates from all segments of the agribusiness industry are cooperating in the founding of a World Farm Center at Ontario, San Bernardino County, California, as a service organization which is designed to—

- (1) serve as an agricultural "clearing-house" and marketing information center;
- (2) encourage, assist, and cooperate in agricultural research programs with universities, governmental agricultural agencies, and private agencies;
- (3) develop the site of World Farm Center as a manufacturing and/or demonstration and display center for all types of agricultural machinery and equipment;
- (4) establish prototype agricultural enterprises for display and production;
- (5) establish a convention center for agricultural organization meetings;
- (6) engage in other service and educational functions which will advance the agricultural industry;
- (7) establish a center for offices or companies, associations, governmental and others; and
- (8) improve public relations between agriculture and the general public: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the concept of World Farm Center be endorsed as a means of furthering the advance of national and international agriculture without any cost or obligation on the part of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1271), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION

This resolution endorses the concept of World Farm Center. It does not involve any cost, contribution, or sponsorship by the Federal Government.

The World Farm Center is to be located southeast of Ontario, Calif. It will operate an international agricultural information documentation center, demonstration centers with actual working prototypes of a dairy, meat processing plants, canneries, bakery, and other exhibits showing activities allied with producing and readying agricultural products for market.

The preamble was agreed to.

BILL PASSED OVER

The bill (H.R. 16065) to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

FOOT-AND-MOUTH DISEASE

The bill (H.R. 16451) to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1273), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes cooperation with Central American countries (and other public and private organizations and individuals) to eradicate foot-and-mouth disease or rinderpest when necessary to protect the U.S. livestock industry. Similar authority is now provided by 21 U.S.C. 114b with respect to cooperation with Mexico. Annual cost is estimated at \$135,000.

COAST GUARD OFFICERS

The bill (H.R. 16127) to increase the limitation on the number of officers for the Coast Guard was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1274), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to raise the limitation on the maximum number of officers, excluding commissioned warrant officers, on active duty which could be authorized for the U.S. Coast Guard from 4,000 to 5,000, by amendment of section 42 of title 14 of the United States Code.

In 1966, a similar bill was presented by the Coast Guard by which the authorized officer strength was increased from 3,500 to 4,000, and at that time it was believed that this ceiling would be adequate for at least 5 years thereafter. However, since that time, the Coast Guard has been transferred into the Department of Transportation from the Treasury Department and some additional officers are serving in various capacities within the Department. In addition, since the enactment of the 1966 legislation, the Navy has transferred jurisdiction over all large icebreakers to the Coast Guard, and it has been necessary to provide crews for these vessels.

With respect to the operations in Southeast Asia, 26 82-foot vessels were transferred to that area and whereas they operated in the United States without a commissioned officer aboard, their new duties require two officers per vessel. At the same time, a loran system has been established in that area and, in addition, five of the high-endurance cutters are on active service there. The result has been an increased requirement for officers to staff the loran stations and to supply sufficient officer strength to permit efficient operation in that area.

The net result has been that with these additional requirements, the presently authorized ceiling will be insufficient to accommodate the commissioning of all the graduates of the Coast Guard Academy and other officer candidates this year. The added responsibilities given to the Coast Guard in a number of fields require additional staffing and the committee believes that this bill is essential for the proper operation of the organization.

It should be pointed out that this legislation in no sense grants a blank check to the Coast Guard to increase its officer personnel, since the ultimate control over the number of officers lies with the Appropriations Committees which determine the amounts available for their support.

The committee carefully considered the matter and believes that with the additional functions continually being transferred to the Coast Guard that its future efficient operation demands adequate responsible personnel.

The ceiling proposed by this bill should be sufficient to meet the needs of the Coast Guard for a period of 5 years or more in the future.

COST OF LEGISLATION

The proposed legislation would not in itself actually increase the number of officers on active duty but would only authorize increases in the number of officers, as program and personnel strength increases are authorized through the annual budget and appropriation processes. Therefore, there is no cost associated directly with this bill.

AMENDMENT OF THE COMMUNICATIONS ACT OF 1934

The bill (H.R. 14910) to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1276), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:



Public Law 90-387
90th Congress, H. R. 17002
July 5, 1968

An Act

82 STAT. 293

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 318 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1318(b)), be amended by changing the second condition to read as follows: "(2) no transfer other than by annual lease of an allotment or quota from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;"

Tobacco acreage
allotments.
Transfer.
81 Stat. 120.
7 USC 1314d.

Approved July 5, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1423 (Comm. on Agriculture).
SENATE REPORT No. 1270 (Comm. on Agriculture & Forestry).
CONGRESSIONAL RECORD, Vol. 114 (1968):
June 3: Considered and passed House.
June 24: Considered and passed Senate.

